

### **REMARKS**

Applicants respectfully request entry of the amendment and reconsideration of the claims. Claims 1, 3, 8-11, 17, 18, 28, and 29 have been canceled. The Examiner has indicated claims 19-26 are in condition for allowance. After entry of the Amendment, claims 19-27 are pending.

#### **Error in Examiner's listing of claims pending in application**

The listing of pending claims in the present Office Action is incorrect. In an Amendment filed on October 22, 2004, Applicant canceled claims 2, 4-7, and 12-16 and added claims 17-29. In the present Office Action, the Examiner indicated the Amendment filed on October 22 was received and entered. The present Office Action, however, incorrectly lists the claims that were canceled and added by the Amendment dated October 22. Claims 1, 3, 8-11 and 17-29, not claims 1, 3, 8, 10, 11 and 17-26, should have been pending after entry of the Amendment dated October 22. As a result, the Examiner did not consider claims 9 and 27-29 in the present Office Action.

Claims 9, 28, and 29 have been canceled. Applicants respectfully request the Examiner consider claim 27. Applicants note claim 27 depends from claim 25, which the Examiner has indicated is allowable.

#### **Anticipation**

Claims 1, 3, 8, 10, 11, 17, and 18 were rejected under 35 U.S.C. § 102(e) as anticipated by Saxena et al. To expedite prosecution of the present application, the rejected claims have been canceled. Applicants, however, do not expressly concede the propriety of the rejection and reserve the right to pursue claims corresponding to the subject matter within the scope of the subject matter of the claims as originally filed in a continuation application.

In view of the amendment to the claims, withdrawal of the anticipation rejection is respectfully requested.

#### **Obviousness**

Claims 1, 3, 8, 10, 11, 17, and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Saxena et al. in view of Band et al. To expedite prosecution of the present application, the

rejected claims have been canceled. Applicants, however, do not expressly concede the propriety of the rejection and reserve the right to pursue claims corresponding to the subject matter within the scope of the subject matter of the claims as originally filed in a continuation application.

In view of the amendment to the claims, withdrawal of the obviousness rejection is respectfully requested.

**Conclusion**

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.


Respectfully submitted,

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Date: \_\_\_\_\_

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